

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD.

SPECIAL CIVIL APPLICATION NO. 4773 OF 1996

CORAM : B.C. PATEL & R.R. JAIN, JJ

1ST AUGUST, 1996

ORAL ORDER :

Rule. Mr Dave waives service of Rule. Heard
learned counsels for the parties.

2. It appears that the ship was delivered for
breaking which is having permanent ballast of 400 tones
stone blocks. The respondent's case is that it is a
stone known as granite which is a restricted item.
According to the petitioner, the ship is brought for
breaking.

3. Considering the facts and circumstances of the
case, it is directed that on giving a personal bond for
the value of the ship, the respondent shall permit the
petitioner to break the ship and to dispose of the
material except granite. This release is subject to the
order which may be passed by the authority on an
application submitted by the petitioner for release of
the ship.

4. Liberty to apply in case of difficulty.

5. Rule is made absolute accordingly with no order
as to costs.

Sd/-

(B.C. Patel, J.)

Sd/-

1st August, 1996 (R.R. Jain, J.)